

SUPREME COURT OF ILLINOIS

FRIDAY, JANUARY 12, 2007

THE COURT MADE THE FOLLOWING ANNOUNCEMENTS:

MISCELLANEOUS RECORD

M.R.21194 - In re: G. Michael Cooper, III. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board is allowed, and respondent G. Michael Cooper, III is disbarred.

Order entered by the Court.

M.R.21231 - In re: James Larry Karraker. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board is allowed. Respondent James Larry Karraker is suspended from the practice of law for six (6) months, with the suspension entirely stayed by a two (2) year period of probation subject to the following conditions:

a. Respondent shall abstain from the usage of alcohol and any unprescribed controlled substances;

b. Respondent shall commence within the first thirty (30) days of probation, and thereafter comply with, the course of treatment recommended by a qualified alcohol treatment professional acceptable to the Administrator, including following all treatment recommendations and the taking of medications as prescribed;

c. Respondent shall keep the Administrator informed, as requested, of his current course of treatment, his attendance, and any change in the course of treatment;

d. Respondent shall provide to the qualified alcohol treatment professional an appropriate release, authorizing the treating professional to: (1) disclose to the Administrator on at least a quarterly basis information pertaining to the nature of respondent's compliance with any treatment plan established with respect to respondent's condition; (2) promptly report to the Administrator respondent's failure to comply with any part of an established treatment plan; and (3) respond to any inquiries by the Administrator regarding respondent's compliance with any established treatment plans;

e. Respondent shall notify the Administrator within fourteen (14) days of any change in treatment professionals;

f. Respondent shall, upon request by the Administrator, submit to random substance testing by a mental health professional or facility approved by the Administrator, within eight (8) hours of receiving notice by the Administrator that he shall submit to the testing. The results of the tests shall be reported to the Administrator. Respondent shall pay any and all costs of such testing;

g. Respondent shall participate in any support groups, such as Alcoholics Anonymous, recommended by the alcohol treatment professional treating him;

h. Respondent shall report to the Administrator any lapse in his sobriety or usage of any unprescribed controlled substances within 72 hours of that usage;

i. Respondent shall attend meetings scheduled by the Commission probation officer as requested by the Administrator. Respondent shall submit quarterly written reports to the Administrator concerning the extent of his compliance with the conditions of probation;

j. Respondent shall notify the Administrator within fourteen (14) days of any change of address;

k. Respondent shall comply with the Illinois Rules of Professional Conduct and shall timely cooperate with the Administrator in providing

information regarding any investigation relating to his conduct;

l. Respondent shall reimburse the Commission for the costs of this proceeding as defined in Supreme Court Rule 773 and shall reimburse the Commission for any further costs incurred during the period of probation;

m. Probation shall be revoked if respondent is found to have violated any of the terms of probation. The six (6) month period of suspension shall commence from the date of the determination that any condition of probation has been violated; and

n. If respondent successfully completes the term of his probation, the probation shall terminate without further order of the Court.

Respondent James Larry Karraker shall reimburse the Client Protection Program Trust Fund for any client protection payments arising from his conduct prior the termination of the period of his suspension/probation.

Order entered by the Court.

M.R.21232 - In re: John Larose Harshman. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board is allowed, and respondent John Larose Harshman is disbarred.

Order entered by the Court.

M.R.21240 - In re: Vanessa Lynn Smith. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission for leave to file exceptions to the report and recommendation of the Review Board is allowed. Respondent is suspended from the practice of law for thirty (30) days.

Suspension effective February 2, 2007.

Respondent Vanessa Lynn Smith shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from her conduct prior to the termination of the period of suspension.

Order entered by the Court.

Freeman, J., took no part.

M.R.21252 - In re: Angela E. Peters. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission for leave to file exceptions to the report and recommendation of the Review Board is denied. Respondent Angela E. Peters is reprimanded.

Order entered by the Court.

M.R.21260 - In re: Thomas Gregory Patrick Leavy. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission for leave to file exceptions to the report and recommendation of the Review Board is allowed. Respondent is suspended from the practice of law for three (3) months and until further order of the Court.

Order entered by the Court.

M.R.21281 - In re: Louis L. Bertrand. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed. Respondent Louis L. Bertrand is suspended from the practice of law for nine (9) months and ordered to pay restitution in the amount of \$11,200.00 to his former law firm, Anthony C. Raccuglia and Associates.

Suspension effective February 2, 2007.

Respondent Louis L. Bertrand shall reimburse the Client Protection Program Trust Fund for any client protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.21294 - In re: Jacqueline Eaton Thomas. Disciplinary
21334 Commission.

(21294) The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Review Board is allowed. Respondent Jacqueline Eaton Thomas is suspended from the practice of law for three (3) months and ordered to refund \$1,500.00 to Teresa Ziegler prior to the end of respondent's suspension.

Suspension effective February 2, 2007.

Respondent Jacqueline Eaton Thomas shall reimburse the Client Protection Program Trust Fund for any client protection payments arising from her conduct prior to the termination of the period of suspension.

Order entered by the Court.

(21334) The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board is allowed. Respondent Jacqueline Eaton Thomas is suspended from the practice of law for one (1) year and until she makes restitution in the amount of \$1,677.00 to Cecil Smith.

Respondent's suspension in the instant case shall run consecutively to the suspension imposed upon respondent in In re Thomas, M.R. 21294 (order January 12, 2007).

Respondent Jacqueline Eaton Thomas shall reimburse the Client Protection Program Trust Fund for any client protection payments arising from her conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.21295 - In re: Neil L. Gershon. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board is allowed, and respondent Neil L. Gershon is suspended from the practice of law for one (1) year and until further order of the Court.

Order entered by the Court.

M.R.21296 - In re: Karl Malcolm Robertson. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed. Respondent Karl Malcolm Robertson is censured and ordered to pay, within thirty (30) days of this order, restitution of \$300.00 to Boris and Joan Vinatzer and \$350.00 to Kupisch & Carbon, Ltd., and to complete, within one (1) year of this order, the professionalism seminar of the Illinois Professional Responsibility Institute.

Order entered by the Court.

M.R.21297 - In re: John T. Huntington. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed. Respondent John T. Huntington is suspended from the practice of law for one (1) year and until further order of the Court, with the suspension entirely stayed by a two (2) year period of probation, subject to the

following conditions:

a. Respondent shall continue a course of treatment with his psychiatrist, Dr. Thomas R. Rebori, or another qualified psychiatrist acceptable to the Administrator, and shall report to the psychiatrist on not less than a quarterly basis, with the Administrator advised of any change in attendance deemed warranted by such professional;

b. Respondent shall comply with all treatment recommendations of his psychiatrist, including the taking of medications as prescribed;

c. Respondent shall provide to his psychiatrist an appropriate release authorizing the treating professional to: (1) disclose to the Administrator on at least a quarterly basis information pertaining to the nature of respondent's compliance with any treatment plan established with respect to respondent's condition; (2) promptly report to the Administrator respondent's failure to comply with any part of an established treatment plan; and (3) respond to any inquiries by the Administrator regarding respondent's mental or emotional state or compliance with any established treatment plans;

d. Respondent shall continue attending individual counseling for depression with Dr. Gary R. Hill, or another therapist acceptable to the Administrator, at least once per month, until termination of his probation, with the Administrator advised of any change in attendance deemed warranted by such professional, and shall provide proof thereof to the Administrator on at least a quarterly basis;

e. Respondent shall notify the Administrator within fourteen (14) days of any change in

treatment professionals;

f. Respondent shall attend meetings scheduled by the Commission probation officer as requested by the Administrator. Respondent shall submit quarterly written reports to the Administrator concerning the status of his practice of law and the nature and extent of his compliance with the conditions of probation;

g. Respondent shall abstain from the usage of alcohol and any unprescribed controlled substances;

h. Respondent shall, upon request by the Administrator, submit to random substance testing by a mental health professional or facility approved by the Administrator, within eight (8) hours of receiving notice by the Administrator that he shall submit to the testing. The results of the tests shall be reported to the Administrator. Respondent shall pay any and all costs of such testing;

i. Respondent shall participate in Alcoholics Anonymous or another comparable 12-step self-help program by attending at least three (3) meetings per week until termination of his probation. Respondent is to maintain a log of his attendance at the meetings and submit it to the Administrator with his quarterly reports;

j. Respondent shall maintain a sponsor in the 12-step program and shall provide the name, address and telephone number of the sponsor to the Administrator within fourteen (14) days of being placed on probation. Respondent shall request that the sponsor communicate with the Administrator in writing on a quarterly basis regarding respondent's participation and progress in the 12-step program and report any lapses in sobriety or usage of unprescribed controlled substances to the Administrator within 72 hours of his knowledge of that usage;

k. Respondent shall report to the Administrator any lapse in his sobriety or use of alcohol within 72 hours of that usage;

l. Respondent shall notify the Administrator within fourteen (14) days of any change of address;

m. Respondent shall comply with the Illinois Rules of Professional Conduct and shall timely cooperate with the Administrator in providing information regarding any investigations;

n. Respondent shall reimburse the Commission for the costs of this proceeding as defined in Supreme Court Rule 773 and shall reimburse the Commission for any further costs incurred during the period of probation; and

o. Probation shall be revoked if respondent is found to have violated any of the terms of probation, and the one (1) year period of suspension shall commence from the date of the determination that any term of probation has been violated and continue until further order of the Court.

Respondent John T. Huntington shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension/probation.

Order entered by the Court.

M.R.21298 - In re: Vincent R. Kaminski. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent Vincent R. Kaminski is suspended from the practice of law for one (1) year.

Suspension effective February 2, 2007.

Respondent Vincent R. Kaminski shall reimburse the Client Protection Program Trust Fund for any client protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.21299 - In re: Michael John Thoren. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed. Respondent Michael John Thoren is suspended from the practice of law for sixty (60) days and until he makes restitution, as follows: \$1,250.00 to Olga Magala; \$500.00 to William Keleture; \$2,500.00 to Mir Hussain.

Suspension effective February 2, 2007.

Respondent Michael John Thoren shall reimburse the Client Protection Program Trust Fund for any client protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.21300 - In re: Daniel J. Welter. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent Daniel J. Welter is suspended from the practice of law for one (1) year and until further order of the Court.

Order entered by the Court.

M.R.21301 - In re: Manos Kavvadias. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent Manos Kavvadias is censured.

Order entered by the Court.

M.R.21332 - In re: Andrew Mark Cohen. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board is allowed, and respondent Andrew Mark Cohen is disbarred.

Order entered by the Court.

Fitzgerald, J., took no part.

M.R.21333 - In re: Marc Erwin Levine. Disciplinary Commission.

The motion by Marc Erwin Levine to strike his name from the roll of attorneys licensed to practice law in Illinois pursuant to Supreme Court Rule 762(a) is allowed, effective immediately.

Order entered by the Court.

M.R.21351 - In re: James Francis Kirk. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent James Francis Kirk is suspended from the practice of law for ninety (90) days.

Suspension effective February 2, 2007.

Respondent James Francis Kirk shall reimburse the Client Protection Program Trust Fund for any client protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.21352 - In re: Bradley John Bereznak. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose reciprocal discipline pursuant to Supreme Court Rule 763 is allowed, and respondent Bradley John Bereznak, who has been disciplined in the State of California, is censured in the State of Illinois and placed on probation for one (1) year subject

to the conditions imposed in the State of California.

Order entered by the Court.

M.R.21356 - In re: Robert J. Pape, Jr. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose reciprocal discipline pursuant to Supreme Court Rule 763 is allowed, and respondent Robert J. Pape, Jr., who has been disciplined in the State of New York, is disbarred in the State of Illinois.

The request by respondent Robert J. Pape, Jr. for stay of proceedings is denied.

Orders entered by the Court.

M.R.21357 - In re: John Francis Scanlan. Disciplinary Commission.

The petition, as amended, by the Administrator of the Attorney Registration and Disciplinary Commission to impose reciprocal discipline pursuant to Supreme Court Rule 763 is allowed, and respondent John Francis Scanlan, who has been disciplined in the State of Wisconsin, is suspended from the practice of law for six (6) months in the State of Illinois and until he is reinstated to the practice of law in the State of Wisconsin.

Suspension effective February 2, 2007.

Respondent John Francis Scanlan shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.21360 - In re: Peter Angelo Loutos. Disciplinary Commission.

The motion by Peter Angelo Loutos to strike his name from the roll of attorneys licensed to practice law in Illinois pursuant to Supreme Court

Rule 762(a) is allowed, effective February 5, 2004, the date of his interim suspension pursuant to Supreme Court Rule 761.

Order entered by the Court.